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LAUSD agrees to revise how English learners, blacks are taught

Officials say the accord, which settles a federal civil rights probe, could be a national model. The district is not accused of intentional bias, and deciding how to make changes will be done locally.

By Howard Blume, Los Angeles Times

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The Los Angeles Unified School District has agreed to sweeping revisions in the way it teaches students learning English, as well as black youngsters, settling a federal civil rights investigation that examined whether the district was denying the students a quality education.

The settlement closes what was the Obama administration's first civil rights investigation launched by the Department of Education, and officials said Tuesday that it would serve as a model for other school districts around the country.

"What happens in L.A. really does set trends for across the nation. More and more school districts are dealing with this challenge," said Russlynn Ali, the assistant secretary of education for civil rights.

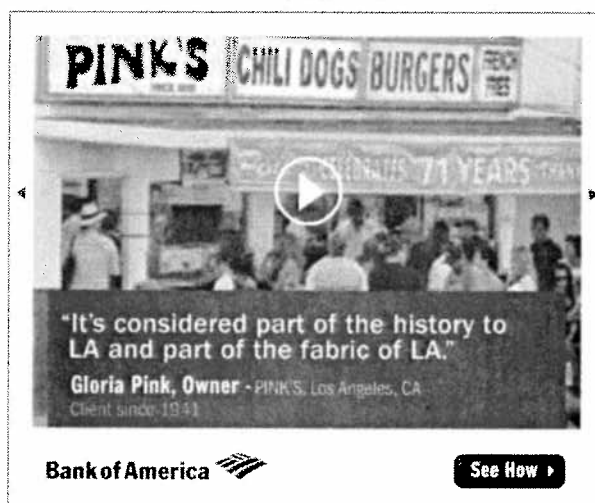
The agreement poses a potential financial problem for the school district, which has faced multimillion-dollar budget cuts and layoffs over the last few years.

The Education Department launched the probe last year, at first to determine if students who entered school speaking limited English, most of whom are Latino, were receiving adequate instruction. The nation's second-largest school system has more students learning English, about 195,000, than any other in the United States — about 29% of the district's overall enrollment. Later, at the urging of local activists, investigators widened the probe to include black students, who make up about 10% of the district's enrollment.

Federal authorities do not accuse the district of intentional discrimination. But the settlement requires a top-to-bottom revision of the district's Master Plan for English Learners, which is already well underway. The goal is to let the district develop the details, under continuing oversight from the Office for Civil Rights, a branch of the Education Department.

Under the settlement, the district for the first time will focus on the academic progress of students judged to have adequately learned English. Many of these students subsequently flounder academically. The district will also concentrate efforts on students who have reached high school without mastering

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the English skills necessary to enroll in a college-preparatory curriculum and who may be at risk of dropping out.

L.A. Unified also agreed to provide students learning English and black students with more effective teachers. Improved teaching would result from "ongoing and sustained" training, among other potential efforts, Ali said.

The decision on how to improve instruction will be a local one. The district will be judged in large measure by student performance data. The ultimate sanction for not living up to the agreement would be withholding or withdrawing federal funds, Ali said.

L.A. Unified was selected for the investigation in large measure because it is an epicenter for the challenge of educating students whose native language is not English. For years, district officials insisted that L.A. Unified performed as well as or better than nearly all other school systems with this population.

Federal officials did not challenge this record. Instead, they emphasized that past efforts simply haven't succeeded as well as they must. District officials, in fact, have echoed this rhetoric. Former board member Yolie Flores consistently criticized the district's performance with English learners.

Under federal law, discrimination can exist even when it is not intentional, based on the levels of opportunity afforded students through even well-meaning policies and practices.

On Tuesday, school board President Monica Garcia made no excuses.

"It is very appropriate for the office of civil rights to come and stand side by side with our students," she said.

U.S. Secretary of Education Arne Duncan traveled to Los Angeles for the announcement and praised the district's cooperation, as did L.A. Mayor Antonio Villaraigosa, who took part in a joint news conference.

In a meeting later with Times reporters and editors, Duncan said of L.A. Unified: "It takes courage, and you have to make yourself vulnerable."

Black students were not part of the initial inquiry, but were added to placate activists, who pointed out that African American students were, by some measures, performing at lower levels than Latino students.

For that part of the inquiry, investigators compared resources at schools that serve a substantially black enrollment with those that serve a substantially white student body. They found disparities in technology and library resources, among other things.

"We saw libraries that were woefully resourced," Ali said. "Books that weren't there that were supposed to be. Books that were there and not recorded."

Addressing this issue will be complicated. Schools that serve low-income minority students typically start with more government funding than schools serving middle-class populations. But schools in more prosperous neighborhoods rely heavily on local parent fundraising and have lower costs related to security and vandalism, among other factors.

Moreover, schools of all types are suffering from steep funding reductions. Just weeks ago, the school

system laid off the specially trained part-time aides who run elementary school libraries.

Federal officials are also demanding that the district address the high proportion of black students who are suspended and expelled.

"I was aghast at how disproportionately African American students are disciplined in this district," Ali said, especially in middle schools.

Educational inequity is a familiar issue in L.A. Unified.

A 2001 initiative to help black students evolved into a measure to help black and Latino students, which eventually merged with general efforts to improve academic programs. In 2007, the district convened what was billed as a landmark conference of experts on students with limited English skills.

There has been progress, based on test scores and other parameters, but results indicate that most students don't reach academic proficiency — and English learners and black students are especially lagging, along with disabled students.

In L.A. Unified, 29% of students learning English are proficient in math. Among African American students, 38% are proficient in English.

Board member Marguerite Poindexter LaMotte said the real issue is follow-through. Many impressive-sounding plans have failed to yield sufficient progress, she said.

"The research has been done," she said.

Others noted the lack of details available on exactly how this new settlement will lead to something different.

"It's an agreement that is sweeping in scope but short on benchmarks and details on enforcement," said John Affeldt, a civil rights attorney with San Francisco-based Public Advocates, which specializes in education litigation.

"I'm very cautious, because the record is horrendous," said local activist Larry Aubry. "Political will is at the seat of this, and I hope that will is here."

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